# ALAMEDA COUNTY SUPERIOR COURT APPLICATION FOR APPOINTMENT TO ADR PANELS

including Judicial Arbitration, Mediation, Neutral Evaluation, and Private Arbitration

| 1. | APPLICANT:   |  |  |  |  |  |  |
|----|--|--|--|--|--|--|--|
|    | Applicant's Name: Arnold B. Haims, Esq.  Firm Name: Haims, MacGowan, Valentino & Peebles, LLP  Address: 180 Grand Avenue, Suite 700  |  |  |  |  |  |  |
|    | City/State/Zip:         Oakland, CA 94612           Telephone:         (510) 835-0500         Fax: (510)835-2833           Email:         ABH@hjmmlaw.com  |  |  |  |  |  |  |
| 2. | PANEL REQUEST: (All applicants are requested to serve as Judicial Arbitrators)  Check each panel for which you are applying:   |  |  |  |  |  |  |
| 3. | X Judicial Arbitration X Mediation X Neutral Evaluation X Private Arbitration EDUCATION:   |  |  |  |  |  |  |
|    | Dates (from-to)College/University/Law SchoolDegree Obtained1949-1953Stanford UniversityBA1956-1959Stanford Law SchoolLLB, JD   |  |  |  |  |  |  |
| 4. | A. Are you a member in good standing of the State Bar of California? Yes No  B. Are you a retired judicial officer? Yes No  Please describe when/where you last served as a judicial officer:  |  |  |  |  |  |  |
|    | C. Are you actively engaged in the practice of law at this time?x_YesNo If not, are you retired from practice? Date retired: If your license is presently inactive, please explain:  D. Are you currently active in litigation practice?YesNo*5 years ago I stopped(con Approximately what percentage of your practice involves litigation?%  E. If your practice includes personal injury litigation, approximately what percentage of your practice involves the representation of: plaintiffs%; of defendants%?  F. How many of the following have you personally handled as attorney of record in the past |  |  |  |  |  |  |
|    | five years? Jury Trials; Court Trials; Mediations; Arbitrations; G. Describe any legal publications or teaching you have done:   |  |  |  |  |  |  |
| *  | (cont) handling litigated cases, and started doing ADR exclusively, prior to that I tried many cases for 37 years.   |  |  |  |  |  |  |

## 5. ADR TRAINING and EXPERIENCE

| Commercial Mediation Alameda/San Francisco Bars 40 Sept. Appellate Mediation District Court of Appeal 21 Feb. Federal Court Mediation US District Court of Appeal 17 Oct.  A. Number of years experience as: mediator 5 arbitrator 5 ineutral evaluator B. List all other court-connected ADR panels of which you are a member, specifying the processes for which you have qualified: Marin, San Francisco, Contra Costa, S. Santa Clara, San Mateo Counties Mediation, Arbitration, US District.  C. State the name(s) of any organization(s) through which you have provided ADR service during the past five years, giving the dates and the services you provided: Alameda C. Bar ADR Panel 1998 to Dresent, Kaiser Permanente Foundation Neutral Arbitration Panel 1998 to Dresent, Kaiser Permanente Foundation Neutral Arbitration Panel 1998 to Dresent, Kaiser Permanente Foundation Neutral Arbitration Panel 1998 to Dresent, the process and if you were sole or co-provide in past 5 years, including the dates of service, the process and if you were sole or co-provide in February 28, 2003, Premises liability, Mediation, Sole provider 2. February 20, 2003, Woongful termination, Mediation, Sole provider 3. February 20, 2003, Woongful termination, Mediation, Sole provider 4. January 21, 2003, Landlord/tenant, Mediation, Sole provider 5. January 10, 2003, Auto, accident, Personal injury, Arbitration, Sole F. Describe any ADR style best described as X facilitative or AND Xevaluative/directive? F. Describe any ADR related publications or training you have done:  Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provision Attach a copy of your fee agreement. Please now. Addictal arbitration who compensation for the first three (i) hours heaving time in Alamedo Comony and all ADR products are reputated to accept of hour three (i) hours heaving time in Alamedo Comony and all ADR proceedings. X during regular office bours;  Vou are available to conduct ADR conferences: X in your office; x at counsel's office; other (please  | ourse Title  | Sponsoring Organization  | Hours of Credit   | Dates                                      |  |
|--|--|--|---|--|--|
| Appellate Mediation District Court of Appeal 21 Feb. Federal Court Mediation US District Court 17 Oct.  A. Number of years experience as: mediator 5; arbitrator 5; neutral evaluator B. List all other court-connected ADR panels of which you are a member, specifying the processes for which you have qualified: Marin, San Francisco, Contra Costa, Santa Clara, San Hateo Counties Mediation, Arbitration, US District C. State the name(s) of any organization(s) through which you have provided ADR service during the past five years, giving the dates and the services you provided: Alameda C Bar ADR Panel 1998 to present. Kaiser Permanente Foundation Neutral Arbitration Panel 1998 to present.  D. Describe the subject matter of five disputes in which you served as the ADR provider in past 5 years, including the dates of service, the process and if you were sole or co-provided. February 28, 2003, Premises liability, Mediation, Sole provider 2. February 26, 2003, Wrongful termination, Mediation, Sole provider 4. January 21, 2003. Landlord/tenant, Mediation, Sole provider 4. January 21, 2003. Landlord/tenant, Mediation, Sole provider 5. January 10, 2003. Auto accident, Personal injury. Arbitration, Sole provider 6. Describe any ADR related publications or training you have done:  G. Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provision Attach a copy of your fee agreement. Please note: Judicial arbitrators who compensation for the first three (1) hours hearing time in Alameda Campy and all ADR positive are requised to accept a theat directly of the first three (2) hours hearing time in Alameda Campy and all ADR positive are requised to accept a theat directly of the first three (3) hours hearing time in Alameda Campy and all ADR positive are requised to accept a theat directly of the first three (3) hours hearing time in Alameda Campy and all ADR positive are requised by prior arrangement;  Pelease describe any requirements you have for ADR participants such as submission of copies of plea | mmercial Mediation   | lameda/San Francisco Bars  | 40  | Sept. 199                                  |  |
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| A. Number of years experience as: mediator   | deral Court Hediatio   | US District Court  | 17  | Oct. 2001                                  |  |
| Arbitration Panel 1998 to present.  Describe the subject matter of five disputes in which you served as the ADR provider in past 5 years, including the dates of service, the process and if you were sole or co-provide 1. February 28, 2003. Premises liability, !!ediation. Sole provider 2. February 26, 2003. Wrongful termination, !!ediation. Sole provider 3. February 20, 2003. False imprisonment, !!ediation. Sole provider 4. January 21, 2003. Landlord/tenant, !!ediation. Sole provider 5. January 10, 2003. Auto accident, Personal injury. Arbitration, Sole Is your ADR style best described as X facilitative or AND Xevaluative/directive?  Describe any ADR related publications or training you have done:  Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provision Attach a copy of your fee agreement. (Please note: Indicial arbitrators watva compensation for the first three (2) hours hearing time in Alameda Canny and all ADR panelists are requested to accept at least three (3) Indicial arbitration cases per year.  \$250 per hour split between the parties  VAILABILITY/SPECIAL REQUIREMENTS  List any languages, other than English, in which you are able to conduct ADR proceeding None  Please state any special bi-cultural/multi-cultural capabilities or familiarity you possess:  None  You are available to conduct ADR conferences: X in your office; X at counsel's office; Other (please describe:  You are available to conduct ADR proceedings: X during regular office hours; evenings by appointment; weekends by prior arrangement;  Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Prefer to receive  | List all other court-conn processes for which you Santa Clara. San II State the name(s) of any during the past five year | ected ADR panels of which you are a have qualified: Marin, San Franciateo Counties Mediation, Arbit organization(s) through which you have giving the dates and the services you | member, specifyin<br>isco, Contra Cos<br>ration. US Dist<br>ave provided ADR<br>ou provided: Alam | ng the sta, Solar rict services eda County |  |
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| 4. January 21, 2003. Landlord/tenant, Mediation, Sole provider  5. January 10, 2003. Auto accident, Personal injury. Arbitration, Sole  6. Is your ADR style best described as X facilitative or AND xevaluative/directive?  7. Describe any ADR related publications or training you have done:  6. Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provisio Attach a copy of your fee agreement. (Please note: Judicial arbitrators walve compensation for the first three (3) hours hearing time in Alameda Canony and all ADR paralists are requested to accept at least three (3) Judicial arbitration cases per year).  \$ 250 per hour split between the parties  VAILABILITY/SPECIAL REQUIREMENTS  List any languages, other than English, in which you are able to conduct ADR proceeding None  Please state any special bi-cultural/multi-cultural capabilities or familiarity you possess:  None  You are available to conduct ADR conferences: X in your office; X at counsel's office; other (please describe:  You are available to conduct ADR proceedings: X during regular office hours; evenings by appointment; weekends by prior arrangement;  Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Prefer to receive   |  |  |   |  |  |
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| evenings by appointment; weekends by prior arrangement;  Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Prefer to receive  | ou are available to condu<br>ffice; other (pleas   | describe:  |   |  |  |
| Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Prefer to receive   | ou are available to condu<br>evenings by appoint   | ct ADR proceedings: X during re<br>ment; weekends by prior arra  | angement;   |  |  |
| THE REPORT OF THE PARTY OF THE  | lease describe any require<br>opies of pleadings, briefs,  | ments you have for ADR participant<br>declarations in lieu of testimony, etc   | s such as submission: Prefer to recei   | ive  |  |
| briefs or position letter and documents relied upon two days prior to the Arbitration or dediation.  |  |  | two days prior  | _to_the                                    |  |

## 7. SUBJECT MATTER DESIGNATION

Please check each area below in which you are qualified by training/experience to provide ADR services, indicating the percentage it represents of your law practice, if any, and the ADR process(es) which you are prepared to offer in that area:

| Case Type           | % of     |               |           |               |  |
|---------------------|----------|---------------|-----------|---------------|--|
| Accepted            | Practice | Judicial Arb. | Mediation | Neutral Eval. | Private Arb.   |
| Bankruptcy          |          |               |           |               |  |
| Business/Corp.      |          |               |           |               |  |
| Civil Rights        | 5        | X             | X         | Y             | X  |
| Collections         |          |               |           | 7             |  |
| Construction        | 5        | X             | X         | X             | X  |
| Contracts           | 5        | X             | X         | x             | X  |
| Elder law/abuse     |          |               |           | 1             |  |
| Employment          |          |               |           |               |  |
| -Discrimination     | 5        | X             | X         | X             | X  |
| -Harassment         | 5        | X             | X         | X             | X  |
| -Termination        | 5        | X             | X         | X             | X  |
| Environmental       |          |               | Α         | A             | X  |
| Fraud               |          |               |           |               |  |
| False Imprison.     |          |               |           |               | A TOTAL CONTRACTOR CON |
| Family Law          |          |               |           |               |  |
| HO Ass'n            | 5        | X             | X         | X             |  |
| Insurance Cov.      | 10       | X             | X         | X             | X<br>X   |
| Intellect. Property |          |               |           | 1             | Δ  |
| Landlord-Tenant     | 5        | X             | X         | X             | v  |
| Legal Malpractice   | 5        | X             | X         | X             | X  |
| Maritime            |          |               | A         | ^-            | X  |
| Med Malpractice     | 5        | X             | X         | X             | X  |
| Partnership         |          |               |           |               | THE ANALYSIA STATE OF THE STATE |
| P.I Auto            | 10       | X             | X         | X             | X  |
| P.I Other           | 5        | X             | X         | X             |  |
| Premises Liability  | 5        | X             | X         | X             | X  |
| Probate/Trust       |          |               |           | A             | A  |
| Product Liab.       | 5        | Х             | X         | v             |  |
| Real Property       | 5        | X             | X         | X             | X<br>X   |
| Securities          |          |               |           |               |  |
| Tax                 |          |               |           |               |  |
| Toxic Torts         |          |               |           |               |  |
| Wrongful Death      | 5        | X             | X         | 3.5           |  |
| Other:              |          | A             |           | X             | X  |
| Consumer            |          |               |           |               |  |
| Remedies            | 5        | X             | X         | X             | X  |

### ADR SERVICE AGREEMENT, FOR SERVICES OF ARNOLD B. HAIMS

It is hereby expressly agreed that ADR services will be provided at the rate of \$200.00 per hour, payable 50% by Plaintiff and 50% by Defendant. In the event there are more than two parties, the \$200.00 per hour rate will be split equally among parties. Payment is due within thirty days from receipt of statement for services.

#### ACKNOWLEDGMENT

| Date:              | Date:              |
|--------------------|--------------------|
| Attorney Signature | Attorney Signature |
| Date:              | Date:              |
| Attorney Signature | Attorney Signature |

This Fee Agreement is provided pursuant to the California Dispute Resolution Programs Act, Business and Professions Code Section 465 et seq.